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Subpart B—Formula Grant Procedures

§ 420.10 Purpose.

This subpart specifies the procedures that apply to the Formula Grant part of the State Energy Program, which allows States to apply for financial assistance to undertake a wide range of required and optional energy-related activities provided for under § 420.15 and § 420.17. Funding for these activities is allocated to the States based on funds available for any fiscal year, as described under § 420.11.

§ 420.11 Allocation of funds among the States.

(a) The cognizant Regional Office Director shall provide financial assistance to each State having an approved annual application from funds available for any fiscal year to develop, modify, or implement a plan.

(b) DOE shall allocate financial assistance to develop, implement or modify plans among the States from funds available for any fiscal year, as follows:

(1) If the available funds equal \$25.5 million, such funds shall be allocated to the States according to Table 1 of this section.

(2) The base allocation for each State is listed in Table 1.

TABLE 1—BASE ALLOCATION BY STATE

State/Territory	
Alabama	\$381,000
Alaska	180,000
Arizona	344,000
Arkansas	307,000
California	1,602,000
Colorado	399,000
Connecticut	397,000
Delaware	164,000
District of Columbia	158,000
Florida	831,000
Georgia	534,000
Hawaii	170,000
Idaho	190,000
Illinois	1,150,000
Indiana	631,000
Iowa	373,000
Kansas	327,000
Kentucky	411,000
Louisiana	446,000
Maine	231,000
Maryland	486,000
Massachusetts	617,000
Michigan	973,000
Minnesota	584,000
Mississippi	279,000
Missouri	518,000

TABLE 1—BASE ALLOCATION BY STATE—Continued

State/Territory	
Montana	182,000
Nebraska	246,000
Nevada	196,000
New Hampshire	216,000
New Jersey	783,000
New Mexico	219,000
New York	1,633,000
North Carolina	564,000
North Dakota	172,000
Ohio	1,073,000
Oklahoma	352,000
Oregon	325,000
Pennsylvania	1,090,000
Rhode Island	199,000
South Carolina	340,000
South Dakota	168,000
Tennessee	476,000
Texas	1,322,000
Utah	242,000
Vermont	172,000
Virginia	571,000
Washington	438,000
West Virginia	286,000
Wisconsin	604,000
Wyoming	155,000
American Samoa	115,000
Guam	120,000
Northern Marianas	114,000
Puerto Rico	322,000
U.S. Virgin Islands	122,000
Total	25,500,000

(3) If the available funds for any fiscal year are less than \$25.5 million, then the base allocation for each State shall be reduced proportionally.

(4) If the available funds exceed \$25.5 million, \$25.5 million shall be allocated as specified in Table 1 and any in excess of \$25.5 million shall be allocated as follows:

(i) One-third of the available funds is divided among the States equally;

(ii) One-third of the available funds is divided on the basis of the population of the participating States as contained in the most recent reliable census data available from the Bureau of the Census, Department of Commerce, for all participating States at the time DOE needs to compute State formula shares; and

(iii) One-third of the available funds is divided on the basis of the energy consumption of the participating States as contained in the most recent State Energy Data Report available from DOE's Energy Information Administration.

(c) The budget period covered by the financial assistance provided to a State

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according to § 420.11(b) shall be consistent with 10 CFR part 600.

§ 420.12 State matching contribution.

(a) Each State shall provide cash, in-kind contributions, or both for SEP activities in an amount totaling not less than 20 percent of the financial assistance allocated to the State under § 420.11(b).

(b) Cash and in-kind contributions used to meet this State matching requirement are subject to the limitations on expenditures described in § 420.18(a), but are not subject to the 20 percent limitation in § 420.18(b).

(c) Nothing in this section shall be read to require a match for petroleum violation escrow funds used under this subpart.

[61 FR 35895, July 8, 1996, as amended at 64 FR 46114, Aug. 24, 1999]

§ 420.13 Annual State applications and amendments to State plans.

(a) To be eligible for financial assistance under this subpart, a State shall submit to the cognizant Regional Office Director an original and two copies of the annual application executed by the Governor, including an amended State plan or any amendments to the State plan needed to reflect changes in the activities the State is planning to undertake for the fiscal year concerned. The date for submission of the annual State application shall be set by DOE.

(b) An application shall include:

(1) A face sheet containing basic identifying information, on Standard Form (SF) 424;

(2) A description of the energy efficiency, renewable energy, and alternative transportation fuel goals to be achieved, including wherever practicable:

(i) An estimate of the energy to be saved by implementation of the State plan;

(ii) Why the goals were selected;

(iii) How the attainment of the goals will be measured by the State; and

(iv) How the program activities included in the State plan represent a strategy to achieve these goals;

(3) With respect to financial assistance under this subpart, a goal, consisting of an improvement of 25 percent

or more in the efficiency of use of energy in the State concerned in the calendar year 2012, as compared to the calendar year 1990, and may contain interim goals;

(4) For the budget period for which financial assistance will be provided:

(i) A total program budget with supporting justification, broken out by object category and by source of funding;

(ii) The source and amount of State matching contribution;

(iii) A narrative statement detailing the nature of State plan amendments and of new program activities.

(iv) For each program activity, a budget and listing of milestones; and

(v) An explanation of how the minimum criteria for required program activities prescribed in § 420.15 have been implemented and are being maintained.

(5) If any of the activities being undertaken by the State in its plan have environmental impacts, a detailed description of the increase or decrease in environmental residuals expected from implementation of a plan defined insofar as possible through the use of information to be provided by DOE and an indication of how these environmental factors were considered in the selection of program activities.

(6) If a State is undertaking program activities involving purchase or installation of materials or equipment for weatherization of low-income housing, an explanation of how these activities would supplement and not supplant the existing DOE program under 10 CFR part 440.

(7) A reasonable assurance to DOE that it has established policies and procedures designed to assure that Federal financial assistance under this subpart will be used to supplement, and not to supplant, State and local funds, and to the extent practicable, to increase the amount of such funds that otherwise would be available, in the absence of such Federal financial assistance, for those activities set forth in the State Energy Program plan approved pursuant to this subpart;

(8) An assurance that the State shall comply with all applicable statutes and regulations in effect with respect to the periods for which it receives grant funding; and